

Following a Work Session, the Regular Session was **called to order at 7:03 P.M.**, by Mayor Pro Tem Harriman with Councilmembers Simillion, McKenna and Hart present along with City Attorney Landwehr, City Manager Collins, Community Development Director Hannon, City Clerk Davidson, Public Works Director Coleman, Fleet Manager MacIntosh, Water Superintendent Balch, Operations Manager Morgan, City Engineer Zerger, Planning Technician Stawowy, City Planner Cullis, Building Official Root, several interested citizens and the press. Mayor Stone was absent, he was out of town.

Consent Agenda**Regular Session Minutes of February 11, 2003.****Award Bid to Honnen Equipment Company for the Purchase of a 644H John Deere Front-End Loader, in the Amount of \$142,433.**

Mayor Pro Tem Harriman explained the Consent Agenda is a group of items, which Council has already reviewed, to be acted on with a single motion or vote. This agenda is designed to expedite the handling of limited routine matters by Council. The Mayor Pro Tem asked if any citizen or Councilmember wished to have any specific item removed from the Consent Agenda and discussed separately. No one requested removal of an item.

Councilmember Hart moved and Councilmember Simillion seconded the motion to approve the Consent Agenda as submitted.

Roll call vote, yes: Simillion, Harriman, McKenna, Hart. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens: None.

Unfinished Business: None.

New Business:

License Agreement Application from Bethany Baptist Church to Place a Sign on City Right-of-Way. Planning Technician Stawowy and applicant Bob Lodato, representing Bethany Baptist Church, came forward. Planning Technician Stawowy explained the application had been discussed at last week's Council Work Session and she then reviewed Staff's recommendation to deny the application. The applicant accepts full responsibility for placing the sign on City right-of-way, it was an error in reading the site plan. The applicant is asking, if the application is denied, to leave the sign in place until the ground thaws and the sign can be removed without damage. The applicant will keep the City as co-insured on their policy until the sign is removed from City right-of-way.

Councilmember McKenna explained the sign is currently an off-premise sign and, if the Council allows it, they would be setting a precedent and would open a floodgate of variance requests.

Mayor Pro Tem Harriman explained he served on the Planning & Zoning Commission for ten years and the biggest problem they dealt with was signs. He understands it was an honest mistake but it cannot be allowed on City property.

Councilmember Simillion moved and Councilmember Hart seconded the motion to deny the License Agreement application from Bethany Baptist Church to place a sign on City right-of-way and to allow the church to remove the sign on, or before March 31, 2003, and to have the City of Gunnison remain covered by the applicant's insurance until the sign has been removed from the public right-of-way.

Roll call vote, yes: Harriman, McKenna, Hart, Simillion. So carried.

Roll call vote, no: None.

Implementation of Operation Plan and Submission of Landfill Closure Plan and Storm Water Management Plan for Old Town Landfill to Colorado Department of Public Health. Public Works Director Coleman explained if Council approves the Operation Plan it would be implemented tomorrow. Also with approval, he would submit the Landfill Closure Plan and the Storm Water Management Plan to the Colorado Department of Health.

Councilmembers Simillion and McKenna stated the City needs to proceed with the plans. Councilmember Simillion asked if the City will need to chip branches in the future. Director Coleman stated yes, residents will be allowed to continue to deposit small branches and these will need to be chipped in the future. Councilmember Simillion suggested the City look at purchasing a small chipper that could handle the residential chipping. City Manager Collins stated they will look into the purchase of a chipper this summer.

Mayor Pro Tem Harriman asked what fees will be collected. Director Coleman stated commercial haulers would be charged by the load and will be on an on-call basis. Residents will be charged \$6.00 per load and will have access to the site on weekends.

Councilmember Simillion moved and Councilmember McKenna seconded the motion to approve the implementation of the Operation Plan and the submission of the Landfill Closure Plan and the Storm Water Management Plan for the old Town Landfill to the Colorado Department of Health.

Roll call vote, yes: McKenna, Hart, Simillion, Harriman. So carried.
Roll call vote, no: None.

Set Public Hearing for Tavern Liquor License Application from Gram Boys, LLC., dba Peace Pub, 216 N. Main Street, Gunnison, CO 81230. City Clerk Davidson explained the City Attorney has reviewed the application and the applicant is in the process of correcting several deficiencies in the document. All deficiencies will be corrected prior to the Public Hearing. She asked the Public Hearing be set for Tuesday, March 25, 2003, at 7:00 P.M., in the City Council Chambers.

Councilmember Simillion moved and Councilmember Hart seconded the motion to set the Public Hearing for the Tavern Liquor License Application from Gram Boys, LLC., dba Peace Pub, 216 N. Main Street, Gunnison, CO 81230, for Tuesday, March 25, 2003, at 7:00 P.M., in the City Council Chambers.

Roll call vote, yes: Hart, Simillion, Harriman, McKenna. So carried.
Roll call vote, no: None.

Ordinance and Resolutions:

Resolution No. 1, Series 2003; Re: Authorizing the May 13, 2003, General Municipal Election to be Held as Mail Ballot Election.

Councilmember Simillion introduced Resolution No. 1, Series 2003, and it was read by title only by the City Attorney.

Councilmember Simillion moved and Councilmember Hart seconded the motion that Resolution No. 1, Series 2003, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, DIRECTING THE CITY CLERK OF THE CITY OF GUNNISON TO CONDUCT THE REGULAR MUNICIPAL ELECTION, SCHEDULED FOR MAY 13, 2003, AS A MAIL BALLOT ELECTION**, be introduced, read, passed and adopted this 25th day of February, 2003.

Roll call vote, yes: Simillion, Harriman, McKenna, Hart. So carried.
Roll call vote, no: None.

Ordinance No. 1, Series 2003; Re: Vacation of the Northern 15 Feet of a Portion of Virginia Avenue Located Within the City Shops Property, 2nd Reading.

Councilmember Simillion introduced Ordinance No. 1, Series 2003, and it was read by title only by the City Attorney.

Councilmember Simillion moved and Councilmember Hart seconded the motion that Ordinance No. 1, Series 2003, **AN ORDINANCE VACATING THE NORTHERN MOST FIFTEEN FEET OF WEST VIRGINIA AVENUE LYING ADJACENT TO THE SOUTHERN BOUNDARY OF LOTS 8 THROUGH 12, BOTH INCLUSIVE, BLOCK 106, AND ADJACENT TO THE SOUTHERN BOUNDARY OF THE EAST ONE-HALF OF PREVIOUSLY VACATED SIXTH STREET, ALL ACCORDING TO THE OFFICIAL AMENDED PLAT OF TOWN OF WEST GUNNISON**, be introduced, read, passed and adopted on 2nd reading, this 25th day of February, 2003.

Roll call vote, yes: Harriman, McKenna, Hart, Simillion. So carried.

Roll call vote, no: None.

City Attorney: Nothing to report.

City Manager: Reported: 1. Public Works Director Coleman, Finance Director Hanson, and he will be attending a meeting tomorrow in Leadville with a Mountain States Employee Council representative. They will discuss aspects of the City's employee compensation plan. 2. The Insurance Trustees met yesterday and the City's plan representatives report the City has a positive fund balance at this time. 3. As of today, the contracted security service is in-place and City Police Officers no longer have to cover security at the County airport. 4. Monthly department reports will go out to Council next Thursday.

Acting City Manager: Community Development Director Hannon: Informed Council they had received her semi-annual report in their packets. She stated both City Planner Cullis and Building Official Root were present from her department as well. Director Hannon asked if Council had any questions.

Councilmember McKenna asked Building Official Root about the proposed foundation plan standards. The Building Official stated although the City's specification has more rebar, it is essentially the same as the County's specifications.

City Manager Collins pointed out to Council that the monthly building activity summary shows in 2002, the City tracked very closely with the 2001 figures and the valuations were very similar. He stated this mirrors the flat sales tax figures for 2002, as well.

Mayor Pro Tem Harriman thanked Director Hannon for her good report.

City Clerk Davidson: Nothing to report.

Non-Scheduled Citizens: None.

General Discussion/Items for Work Sessions:

Councilmembers Hart and McKenna: Nothing to report.

Councilmember Simillion: Asked the City Manager how the City was reimbursed for the Police Officer's overtime hours at the airport. City Manager Collins stated the County reimburses the City for overtime pay incurred by City Police Officers while they are performing security duties at the County airport. The County is reimbursed by the federal government.

Mayor Pro Tem: Nothing to report.

Adjourned: 7:35 P.M.

Mayor Pro Tem

City Clerk